

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

YUSEF WHITEHEAD	:	CIVIL ACTION
[DP-9746]	:	
	:	
v.	:	
	:	
JOHN E. WETZEL, et al.	:	NO. 13-3753

ORDER

AND NOW, this 21st day of October, 2013, upon consideration of the pleadings and the record herein, and after review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**.
2. The Petition for Writ of Habeas Corpus is placed in suspense until the conclusion of the state post-conviction proceedings.
3. Whitehead shall return to federal court within thirty (30) days following the conclusion of his state court proceedings. If Petitioner does not return to federal court within that time, this stay and abeyance order will be vacated and his petition will be dismissed without prejudice.

There is no probable cause to issue a certificate of appealability.

BY THE COURT:


MARY A McLAUGHLIN, J.